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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

14
15 INDIAN HARBOR INSURANCE) Case No. C 04-2615 JSW (consolidated with
16 COMPANY,) C 02-4548 JSW) (Related to C 04-4085 JSW)
17 Plaintiffs,)
18 v.)
19 VICTORIA WILLOCK, et al.)
20 Defendants,)
21)
22 AND RELATED COUNTERCLAIMS.)
23)

23 Pursuant to this Court's order of November 9, 2005, the parties hereby submit this
24 report regarding the status of the settlement in the case of Indian Harbor v. Willock et al., Case No.

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1 C 04-2615 JSW ("Indian Harbor Action"), previously consolidated with Case No. C 02-04548.¹

2 The parties to the Indian Harbor action have concluded negotiations in to attempt to
 3 resolve the consolidated action in its entirety. The parties to the Indian Harbor action have agreed
 4 to a settlement that would include each party to release and dismiss the litigation with each side to
 5 bear their own costs. The parties have prepared a settlement agreement and are in the process of
 6 finalizing the agreement and circulating it to obtain the necessary signatures for proper execution.
 7 The parties to the Indian Harbor action respectfully request that they be given thirty days, until
 8 January 8, 2006, to finalize the settlement agreement and file dismissals of the action.

9
 10 Dated: December 8, 2005

11 LOVITT & HANNAN, INC.
 12 BARTKO, ZANKEL, TARRANT & MILLER
 13 A Professional Corporation

14 By: /s/ Christopher D. Sullivan
 15 Christopher D. Sullivan
 16 Counsel for Defendants and Counterclaimants

17 DATED: December 8, 2005

18 ROSS, DIXON & BELL, LLP

19 By: /s/ Robert M. Pozin
 20 Robert M. Pozin
 21 Counsel for Indian Harbor Insurance Company

22 December 9, 2005



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 25¹ The parties to the Shaw Action requested a stay to complete the documentation of the settlement
 26 agreement and move for approval in the Bankruptcy Court. Subsequently, the parties to the
 27 consolidated action, Indian Harbor Insurance Company v. Willock, et al., Case No. C 04-2615
 28 JSW, also moved for a stay pending the ruling of the Bankruptcy Court to allow the parties to that
 action to attempt a negotiated resolution of that case if the settlement of the Shaw Action is
 approved. On June 23, 2005, this Court entered orders staying both actions.